



CASE TX/4-32435A  
(167-87)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF  
EVENOU ET AL.

EXAMINER: BARKER, MICHAEL

INTERNATIONAL APPLICATION NO:  
PCT/EP03/03470

ART UNIT: 1626

FILED: 2 APRIL 2003

U.S. APPLICATION NO: 10/510,027

35 USC §371 DATE: 1 OCTOBER 2004

FOR: INDOLYLMALEIMIDE DERIVATIVES

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Novartis AG, a company organized under the laws of the Swiss Confederation, having a place of business at Lichtstrasse 35, Basel, Switzerland 4056, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment, submitted for recordal in the US PTO on even date, a copy of which is submitted herewith.

Novartis AG hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173 as shortened by any terminal disclaimer of U.S. Patent No. 6,645,970. U.S. Patent No. 6,645,970 is also assigned to Novartis AG by virtue of an assignment which was recorded in the United States Patent and Trademark Office on September 15, 2003 at Reel/Frame 014496/0553.

Novartis AG hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and said patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

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130.00 OP

In making the above disclaimer, Novartis AG does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC §154-156 and §173 of U.S. Patent No. 6,645,970, as

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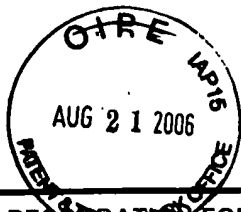
shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

A terminal disclaimer fee under 37 CFR §1.20(d) is included.

Signed this 17<sup>th</sup> day of August, 2006 by the undersigned attorney of record.

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Corporate Intellectual Property  
One Health Plaza, Building 430  
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OMB No. 0651-0027 (exp. 5/31/2002)

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1. Name of conveying party(ies):

**Jean-Pierre EVENOU**  
**Peter VON MATT**  
**Jurgen WAGNER**  
**Gerhard ZENKE**

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: **Novartis AG**

Address: **Lichtstrasse 35, 4056 Basel,**  
**Switzerland**

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: August 18, 2004, September 6, 8, 13, 2004

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) **10/510,027**

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Thomas R. Savitsky, Esq.**

**NOVARTIS**

**Corporate Intellectual Property**

**One Health Plaza, Building 430**

**East Hanover, NJ 07936-1080**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41).....\$ **\$40.00**

- ☒ Enclosed  
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*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

**Ann R. Pokalsky**

Name of Person Signing

*Ann R. Pokalsky*  
Signature

**8/17/06**

Date

Total number of pages including cover sheet, attachments, and documents: **2**

Mail documents to be recorded with required cover sheet information to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

- I / We
1. Jean-Pierre EVENOU, 10, av. du Général de Gaulle, 68300 St.Louis, France
  2. Peter VON MATT, Fichtlirain 38, 4105 Biel-Benken, Switzerland
  3. Jürgen WAGNER, Nussbaumweg 24, 4103 Bottmingen, Switzerland
  4. Gerhard ZENKE, Adolf Glattacker-Strasse 8, 79618 Rheinfelden, Germany

for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, do hereby sell and assign to **Novartis AG, a Company organized under the laws of the Swiss Confederation, of Lichtstrasse 35, 4056 Basel, Switzerland**, its successors, assigns and legal representatives all my/our right, title and interest, in and for the United States of America, in and to the invention entitled:

**INDOLYLMALEIMIDE DERIVATIVES**

invented by me/us and described in the international application

No. PCT/EP03/03470 filed 02/04/2003

and all United States Letters Patent which may be granted therefor, and all divisions, reissues, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by the said **Novartis AG**, its successors, assigns or other legal representatives, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me/us if this assignment and sale had not been made;

And I/we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the said **Novartis AG**.

Signed on

Jean-Pierre Evenou  
Jean-Pierre EVENOU

August 18, 2004

Peter von Matt  
Peter VON MATT

September 6, 2004

Jürgen Wagner  
Jürgen WAGNER

September 8, 2004

Gerhard Zenke  
Gerhard ZENKE

September 13, 2004